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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,246	04/04/2001	David D. Sauder	100.169US01	2680
75	90 06/29/2004		EXAM	INER
Fogg & Associates, LLC			JONES, STEPHEN E	
P.O. Box 58133 Minneapolis, M	9 IN 55458-1339		ART UNIT	PAPER NUMBER
			2817	
			DATE MAILED: 06/29/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

			Un		
		Application No.	Applicant(s)		
		09/826,246	SAUDER ET AL.		
	Office Action Summary	Examiner	Art Unit		
		Stephen E. Jones	2817		
Period fo	The MAILING DATE of this communication apor Reply	op ars on the cov r she t w	ith the correspondence addr ss		
THE - Exte after - If the - If NC - Failt Any	MORTENED STATUTORY PERIOD FOR REPL MAILING DATE OF THIS COMMUNICATION. In SIX (6) MONTHS from the mailing date of this communication. In Period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period ure to reply within the set or extended period for reply will, by statuly reply received by the Office later than three months after the mailing patent term adjustment. See 37 CFR 1.704(b).	.136(a). In no event, however, may a reply within the statutory minimum of third will apply and will expire SIX (6) MON te, cause the application to become Al	reply be timely filed ty (30) days will be considered timely. ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).		
Status					
1)⊠	Responsive to communication(s) filed on <u>08</u> A	<u>April 2004</u> .			
2a)□	This action is FINAL . 2b)⊠ Thi	is action is non-final.			
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
	closed in accordance with the practice under	Ex parte Quayle, 1935 C.D.	D. 11, 453 O.G. 213.		
Disposit	tion of Claims				
4)⊠	Claim(s) <u>6,7,13-16,40,41,45 and 47-50</u> is/are 4a) Of the above claim(s) is/are withdra				
5)⊠	Claim(s) <u>6,7,13-16 and 47</u> is/are allowed.				
6)⊠	Claim(s) <u>40,41,45 and 48-50</u> is/are rejected.		·		
7)	Claim(s) is/are objected to.				
8)∐	Claim(s) are subject to restriction and/	or election requirement.			
	tion Papers		*		
•	The specification is objected to by the Examin		h. D. F. coston		
10)	The drawing(s) filed on is/are: a)☐ ac				
	Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct				
11)	The oath or declaration is objected to by the E				
·					
-	under 35 U.S.C. § 119				
	Acknowledgment is made of a claim for foreig All b) Some * c) None of: 1. Certified copies of the priority documer		§ 119(a)-(d) or (f).		
	2. Certified copies of the priority documer				
	3. Copies of the certified copies of the pri		received in this National Stage		
	application from the International Burea		and the same of th		
"	See the attached detailed Office action for a lis	st of the certified copies not	received.		
•					
Attachmer 1) Noti	nt(s) ce of References Cited (PTO-892)	4) Intervious	Summary (PTO-413)		
	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTO-948)	Paper No	s)/Mail Date		
, —	rmation Disclosure Statement(s) (PTO-1449 or PTO/SB/08 er No(s)/Mail Date	8) 5) ☐ Notice of 6) ☐ Other:	Informal Patent Application (PTO-152)		

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DETAILED ACTION

1. The indicated allowability of claims 45 and 48-50 is withdrawn in view of the newly discovered reference(s) to Atia. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
- 4. Claims 40, 41, 45, and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Atia.

Atia teaches a filter (Figs. 2, 2a) including: a housing (80) has cavities for individual resonator stages; a circuit board (10) has traces (e.g. 32) and interstage coupling traces (e.g. 70) (Claims 49, 50); the circuit board covers the opening in the

housing cavity; the circuit board has input/output connectors (20, 30) coupled to the filter cavity; and the filter can be used with satellite transponders.

However, Atia does not explicitly teach that the filter traces are coupled to an electronic component (Claims 45, 48), or that the electronic component includes a power amplifier circuit (Claims 40, 41).

It would have been considered obvious to one of ordinary skill in the art to have provided a well-known electronic power amplifier coupled to the filter and its traces, because conventionally satellite transponders such as taught by Atia use electronic power amplifiers for providing a useful power level for the transmission of communications signals, thereby suggesting the obviousness of such a modification.

Response to Arguments

5. Applicant's arguments with respect to claims 40-41, 45, and 48-50 have been considered but are most in view of the new ground(s) of rejection.

Allowable Subject Matter

6. Claims 6-7, 13-16, and 47 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen E. Jones whose telephone number is 571-272-1762. The examiner can normally be reached on Monday through Friday from 8 AM to 4 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on 571-272-1769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stephen Jones
Patent Examiner
Art Unit 2817